

CHAPTER 656

(House Bill 61)

AN ACT concerning

Real Property - Release of a Mortgage or Deed of Trust

FOR the purpose of establishing an additional procedure for releasing a mortgage or deed of trust; authorizing the clerk of the court to index and record a canceled check evidencing final payment of a debt secured by a mortgage or deed of trust; giving a canceled check a certain effect if certain conditions are met, it contains certain information, and is accompanied by a certain affidavit; and generally relating to releases of mortgages and deeds of trust.

BY repealing and reenacting, without amendments,

Article - Real Property
Section 3-105(a)
Annotated Code of Maryland
(1981 Replacement Volume and 1986 Supplement)

BY repealing and reenacting, with amendments,

Article - Real Property
Section 3-105(d)
Annotated Code of Maryland
(1981 Replacement Volume and 1986 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Real Property

3-105.

(a) A mortgage or deed of trust may be released validly by any procedure enumerated in this section.

(d) (1) When the debt secured by a deed of trust is paid fully or satisfied, and any bond, note, or other evidence of the total indebtedness is marked "paid" or "cancelled" by the holder or his agent, it may be received by the clerk and indexed and recorded as any other instrument in the nature of a release. The marked note has the same effect as a release of the property for which it is the security, as if a release were executed by the named trustees, if there is attached to or endorsed on the note an affidavit of the holder, the party making satisfaction, or an agent of either of them, that it has been paid or satisfied, and